

1 A No.

2 Q Now, if you turn to Appendix C again, I see you have  
3 a provision for \$1,200 a month salary for a newsman/production  
4 person.

5 A Yes.

6 Q What is the basis of that figure?

7 A The quick answer to that is my own judgement. The  
8 slow answer to that is my own judgement as confirmed by Brett  
9 Miller.

10 Q And Brett Miller has divided up a newsperson and an  
11 announcer/production into separate categories, does he not?  
12 Page 2 of Clanton Exhibit 3.

13 A Yes.

14 Q And for the announcer/production, he estimated what  
15 salary?

16 A \$1,500.

17 Q Now, you have indicated two part-time employees.  
18 How many hours a week would they work?

19 A That would be 25 hours each.

20 Q Is it your intention to operate your station 24  
21 hours a day?

22 A Yes, it is.

23 Q Would you have someone at the studio 24 hours a day?

24 A Yes.

25 Q Well, you've indicated that your two part-time

1 people will work each 25 hours a week. So that gives us 50  
2 hours per week when the part-timers would be there. How many  
3 hours a week would the receptionist/traffic/bookkeeper person  
4 work?

5 A That would be forty hours.

6 Q And that would be during normal business hours?

7 A Right.

8 Q Nine to 5, Monday to Friday?

9 A That's right.

10 Q And would the -- you intend to work at the station  
11 as well. Is that correct?

12 A I do.

13 Q Forty hours a week?

14 A Oh, no. I intend to work much more.

15 Q You intend to spend some of your time outside of the  
16 station on community activities and so forth, don't you?

17 A Yes.

18 Q Do you intend your newsman/production person to work  
19 evenings or weekends?

20 A I really hadn't worked it out to this much detail,  
21 in terms of who is going to be there which particular hour.

22 Q Do you intend your salesperson to have any duties at  
23 the station in connection with the operation of the station?

24 A Probably not. But as I say, I really hadn't worked  
25 this angle of it out.

1 Q How did you arrive at 50 hours of part-time  
2 employees a week?

3 A I guess I just felt that you can use what help you  
4 can get and that was about what I wanted to pay.

5 Q Have you had any conversations with Brett Miller  
6 since September of 1993 in which you discussed were there any  
7 changes in the rental market in the El Rio area?

8 A No, not on that specific topic. No. I'm sorry.  
9 Let me change that because I did call him to confirm what he  
10 specifically meant by -- there was something that said --  
11 there was something in his letter that said for leases of a  
12 period of years, you would get certain concessions and I  
13 wanted to know what he meant by a period of years. I can't  
14 seem to find it in the letter right now, but I did call him to  
15 say, "What do you mean by a period of years?" So, I guess I  
16 feel that if there were a big change, he would've said  
17 something to me.

18 Q Well, you're right. I don't see anything in this  
19 particular letter that talks about a lease for a period of  
20 years. Is there some other document?

21 A It may have been an earlier letter that he sent to  
22 me on the same subject. I think I was looking at it earlier.  
23 Isn't it attached to my amendment or something? It would be  
24 the August amendment.

25 Q Are you referring to your -- do you want to refer to

1 your August amendment?

2 A Yes.

3 Q I have a copy here.

4 A Yeah. I don't have a copy up here. My August  
5 amendment has a copy of a letter from Brett Miller that's  
6 dated August 2nd and -- is this the one? I don't see it here,  
7 either, but it must've been in an earlier draft of that  
8 letter.

9 Q While you have it there, that letter you were just  
10 looking at, there is a discussion similar, but slightly  
11 different, about this question of free rent, improvements, and  
12 so forth. Is that right?

13 A Yeah. It's slightly different, but essentially the  
14 same.

15 MR. MILLER: Your Honor, I would like to either have  
16 you take official notice of it -- I'm just interested in one  
17 sentence from this August 2 letter. I could read it into the  
18 record.

19 JUDGE FRYSIK: Go ahead.

20 MR. MILLER: Thank you. Mr. Miller states in his  
21 August 2, 1992 letter --

22 MR. THOMPSON: Just -- Your Honor, if he could  
23 identify what it is that he's reading.

24 MR. MILLER: It's a two-page letter. That's the  
25 second page. This was an attachment -- Exhibit A to the

1 Petition for Leave to Amend filed in August.

2 MR. THOMPSON: Exhibit A as in apple?

3 MR. MILLER: A as in apple. And the next to the  
4 last paragraph says, "The rental situation in Ventura County  
5 is such that rates are the lowest they have been in a long  
6 time and you can also look for tenant improvements to be  
7 included in the base rent --" Excuse me, "in the rent base,  
8 plus in some cases, up to six months of free rent while the  
9 improvements are being made, and while you are completing your  
10 installation of office/studio equipment." Thank you, Your  
11 Honor.

12 BY MR. MILLER:

13 Q Ms. Selznick, in Appendix C again, your current  
14 budget, you have allotted three months of tower site rental.  
15 Is that correct?

16 A Right.

17 Q Now, do you have any arrangement with the prospec-  
18 tive landlord of your tower site to allow you access to the  
19 tower site to install your transmitter/antenna related  
20 equipment before going on the air and before paying rent?

21 A I don't recall what the agreement says.

22 Q But you obviously have to -- there will be some  
23 period of time that you'll need access to your tower site  
24 before you go on the air, won't there be?

25 A I would assume so.

1 Q Do you have any idea how long that might be?

2 A No, I don't.

3 Q Now, you are relying in part, under your current  
4 proposal, to borrow up to \$40,000 from Mr. Dailey. Is that  
5 correct?

6 A That's right.

7 Q Has Mr. Dailey signed any document to your knowledge  
8 expressing the terms of his loan commitment to you for  
9 \$40,000?

10 A The declaration.

11 Q Which declaration are you referring to?

12 A Well, it's attached to a number of things, but I  
13 guess the first time it was attached to anything it would've  
14 been in the August amendment.

15 Q That's the declaration of August 27, 1993?

16 A I don't recall the precise date, but that sounds  
17 about right.

18 Q Let me show it to you just so you can confirm it.

19 A Yes.

20 Q Now, is there anything --

21 A Excuse me. I would also add that he signed his  
22 deposition transcript and that also talks about the terms.

23 Q In this August 27th declaration, is there any  
24 discussion of guarantees or collateral for his loan?

25 A No, that was something that we understood.

1 Q Did you talk about it before he signed that  
2 declaration?

3 A I know we talked about it around that time. I'm not  
4 sure whether it was before or after.

5 Q Did Mr. Dailey ever indicate to you a desire to  
6 incorporate to operate the radio station?

7 A I'd say desire is a strong word. I think it was  
8 more like advice. I think it was more from my perspective  
9 than his perspective.

10 Q Can you explain what you mean by more from your --

11 A When you say a desire, that suggests to me that Mr.  
12 Dailey wanted me to incorporate, somehow for his benefit,  
13 whereas when I say advice, it was more like he thought it  
14 would be better for me if I incorporated.

15 Q Did he give you his thoughts on any other matters  
16 relating to the operation of your station?

17 A That's sort of broad.

18 Q Well, let me ask you, did he recommend to you that  
19 you hire experienced employees at the beginning?

20 A No.

21 Q Did he talk to you about hiring any particular  
22 employee to work at your station?

23 A Yes. His brother-in-law.

24 Q Did he indicate that his brother-in-law is  
25 experienced in the radio business?

1 A Oh, I know his brother-in-law and he is.

2 Q Did you plan to hire his brother-in-law?

3 A I don't know. I mean, I have no present plan to  
4 either hire or not hire his brother-in-law.

5 Q Have you discussed with Mr. Dailey's brother-in-law  
6 the possibility of working for you?

7 A No.

8 Q Did you discuss back in 1991 when you were talking  
9 about financing for your initial application, did you discuss  
10 with Mr. Dailey any projection of revenues for your station?

11 A I'm not sure.

12 Q Did you personally do any revenue projections before  
13 you filed your application?

14 A Why I'm hesitating is I know I did revenue  
15 projections. I'm not sure I did them before I filed. I think  
16 they may have been after.

17 Q Let me refer you to Page 152 of your deposition. Do  
18 you recall being deposed on October 13, 1993?

19 A I recall being deposed. I don't remember the date.

20 Q And you've had a chance to review your deposition  
21 have you?

22 A Yes.

23 Q And did you make any changes or corrections to it?

24 A No, I didn't.

25 Q And you've signed it.



1           A     Actually, no, I haven't, but --

2           Q     The time has past.

3           A     The time has past.

4           Q     I have here the -- it's an unabridged, but condensed  
5 page by page version of the deposition. Type is smaller, so  
6 they put more pages on one physical sheet of paper. But I'm  
7 referring to Page 152 of Ms. Selznick's deposition.

8           MR. THOMPSON: If His Honor doesn't mind, I'd like  
9 to look at the condensed version to make sure that it matches  
10 the original, uncondensed version which I recall that it does  
11 --

12          MR. MILLER: I'm referring to the question beginning  
13 on Line 13.

14          WITNESS: Excuse me, Your Honor. I think my counsel  
15 has an extra one of these and I just assume read it in the big  
16 version than the tiny.

17          MR. THOMPSON: Why don't you hand her the top of  
18 that -- that's it. You might check. I don't think there's  
19 anything else in there. 152, Line 13.

20          WITNESS: Thank you.

21          MR. THOMPSON: May I just ask Mr. Miller, is this  
22 one of the pages -- of course, this is the Dailey deposition  
23 that you've introduced as Clanton Exhibit 2. So none of the  
24 Selznick deposition pages are in the record officially yet,  
25 correct?

1 MR. MILLER: That's correct.

2 BY MR. MILLER:

3 Q Would you read the question -- well, let me ask -- I  
4 gave the wrong reference. Turn to Page 153, please, and I'd  
5 ask you to read into the record the question beginning on Line  
6 14 and then your answer.

7 A "Did you come up with estimates of what revenue your  
8 station might produce prior to filing the application?" The  
9 witness, "No specifically, no."

10 Q So then it would be most unlikely that you would've  
11 given Mr. Dailey any estimates if you had come up with them  
12 yourself, right?

13 A Was that the last question?

14 Q I've forgotten.

15 A I thought the last question was whether I had  
16 produced them. But I mean, we can get by this. If I didn't  
17 produce any, no, I couldn't possibly have given them to Mr.  
18 Dailey.

19 MR. MILLER: Now -- let me just have one moment to  
20 review my notes, Your Honor. I think I may be finished.

21 JUDGE FRYSIK: You're finished?

22 MR. MILLER: I think so. If I could have -- can we  
23 go off the record maybe for a few minutes?

24 JUDGE FRYSIK: What? I'm sorry.

25 MR. MILLER: I just want to review my notes. I

1 think I may be finished.

2 JUDGE FRYSIAK: Do you want a short recess?

3 MR. MILLER: Sure.

4 JUDGE FRYSIAK: All right. Ten minutes.

5 (Whereupon, a brief recess was taken from 2:43 p.m.  
6 until 3:02 p.m.)

7 JUDGE FRYSIAK: We're on the record. Go ahead.

8 MR. MILLER: I just have a few more questions.

9 BY MR. MILLER:

10 Q Ms. Selznick, referring to the equipment that you've  
11 identified on Appendix C of Exhibit 5 --

12 A Hang on one second. I'm sorry. Appendix C. Okay.

13 Q Is that all new equipment or used equipment or a  
14 combination?

15 A I believe a lot of it's -- I believe it's a  
16 combination.

17 Q Can you identify which are new and which are used?

18 A No.

19 Q Can you identify any specific item as definitely  
20 being new or definitely being used?

21 A No, I don't think so. Wait a second. I think --  
22 yes, I would say definitely the transmitter is used. Well, I  
23 believe the transmitter is used.

24 Q And did you obtain the price of the transmitter from  
25 Mr. Brett Miller?

1 A Yes.

2 Q And that was back in August?

3 A Yes.

4 Q Do you have any knowledge here today whether this  
5 particular transmitter at this price is still available?

6 A Only to the extent that I know that there is an open  
7 market for used equipment that I don't expect would have dried  
8 up in four months because I did know that there was a market  
9 in used equipment back in '82/83.

10 Q Do you have any personal knowledge today of whether  
11 there are any one-kilowatt FM transmitters available?

12 A I certainly haven't made any calls, no.

13 Q Now, you've --

14 A I'm sorry. Let me correct that. I have spoken to  
15 Brett Miller recently and he has not taken back anything on  
16 this list, so I don't know whether that means that Brett  
17 Miller has recently made calls or whether it means he's done  
18 nothing. But he does -- he did know -- he was aware that I  
19 was still using these figures.

20 Q Now, in your three months' operating costs, on your  
21 salary, did you include three months' salary for each of your  
22 employees that's factored into the \$30,000?

23 A I believe so.

24 Q Do you anticipate having to bring any employees on  
25 board before you actually begin broadcasting for training

1 purposes?

2 A I don't know.

3 Q Would you expect to?

4 A I mean, in thinking about it here and there,  
5 depending upon the job, maybe a couple of them for a day or  
6 two. I wouldn't anticipate any sort of lengthy training.

7 MR. MILLER: I believe that concludes my cross  
8 examination, Your Honor.

9 MR. THOMPSON: Your Honor, a few items on redirect.  
10 Thank you very much.

11 REDIRECT EXAMINATION

12 BY MR. THOMPSON:

13 Q Ms. Selznick, could I first direct your attention to  
14 Exhibit 5, Paragraph Number 3?

15 A The one that begins "My revised ..."?

16 Q Yes, that's right. Page 2 of Exhibit 5, Paragraph  
17 Number 3. Would you read the fourth sentence in that  
18 paragraph that begins, "With respect to the studio ..."?

19 A "With respect to the studio, I have been assured by  
20 my radio consultant that the rental market in Ventura County  
21 is so competitive that I will be able to get studio  
22 improvements included in the rent base and up to six months of  
23 free rent with a multi-year lease."

24 Q On cross examination, a few minutes ago, you  
25 referred, in answer to a question by Mr. Miller, about a

1 discussion with Mr. Brett Miller of a multi-year lease. Was  
2 this the document that you were referring to or was this the  
3 reference that you were referring to at that time?

4 A Yes, it must have been.

5 Q And would you repeat, just so the record is clear,  
6 what exactly did you discuss with Mr. Brett Miller regarding  
7 the issue of a multi-year lease in Ventura County?

8 A Well, I wanted to know what he meant by a multi-year  
9 lease, how many years would be required to get these kinds of  
10 concessions or benefits, and he said 3 to 5 years and I had  
11 that discussion I think yesterday.

12 Q Is it your intention, at this point, to enter into a  
13 multi-year lease in Ventura County for your studio?

14 A Oh, absolutely

15 Q Mr. Clanton's attorney, Mr. Miller -- just so we're  
16 not confusing Mr. Brett Miller -- also asked you on cross  
17 examination a few minutes ago about moving to California.  
18 Exactly when do you anticipate -- if you're granted a  
19 construction permit, when would you move to California?

20 A Prior to -- toward the end of the construction  
21 period, prior to going on the air.

22 Q And what would be your employment status, if any,  
23 during the period that you remained in New York during the  
24 construction period?

25 A I would continue to be employed where I'm presently

1 employed.

2 Q Mr. Jerrold Miller also asked you earlier today  
3 regarding your current proposed -- what's called revised  
4 budget. He referred you to a document with respect to a --  
5 that concerned a phone conversation you had with Mr. Evers in  
6 which Mr. Evers apparently told you and you took a note about  
7 what Mr. Evers thought construction of such a station or of a  
8 station might cost. Do you remember that colloquy that  
9 occurred earlier today?

10 A Yes.

11 MR. THOMPSON: I'd like to show Mr. Miller a copy of  
12 a document that he received, Your Honor, in the document  
13 production after you added the issue. This is just a one-page  
14 document. Well, you can object to this when I ask the  
15 question, if you would like to object to the question.

16 The issue that was raised earlier today with the  
17 question of the basic reasonableness of your current budgetary  
18 proposal which totals \$109,000 approximately and Mr. Miller  
19 had shown you a document regarding a phone conversation that  
20 you had had when a broker, an individual, told you that  
21 stations generally could be built for 3 or 400,000 dollars.  
22 Did you have any conversations with anyone else regarding the  
23 approximate cost of a Class A FM station in Ventura County?

24 MR. MILLER: I object, Your Honor. This is well  
25 beyond the scope of my cross examination. I asked her about a

1 specific conversation with a specific person and to go on to  
2 conversations she could have had with this person, that  
3 person, or the other person -- this is direct evidence if she  
4 wanted to put that in.

5 I think what she talked to somebody else about has  
6 no bearing on what, you know, I brought out on cross of what  
7 this particular person told her. Unless this person  
8 specifically commented on what Mr. Evers said, and I don't  
9 believe that to be the case, we can go on forever. You bring  
10 in someone, I bring in someone, you bring in someone, and I  
11 bring in someone.

12 MR. THOMPSON: Not at all, Your Honor. She  
13 testified that she talked to several people. Mr. Miller, this  
14 morning, said, "Well, wait a minute. One of the people you  
15 talked to said it might take 300 or 400,000 dollars to build a  
16 station." All we're doing is showing that other people agree  
17 with Mr. Brett Miller that it could be done for a 100,000.

18 JUDGE FRYSIK: Isn't this gentleman also the media  
19 broker that you spoke of?

20 WITNESS: No. This was someone who I knew from  
21 Breed Abbott who has --- who built a station in Montauk.

22 JUDGE FRYSIK: You may ask her.

23 MR. THOMPSON: Thank you, Your Honor. I've shown  
24 Mr. Miller a copy of the note. I'm going to show the witness,  
25 Your Honor, a document and ask her some questions about it.



1 BY MR. THOMPSON:

2 Q This is a document that was produced to Clanton and  
3 his attorney during document production. Can you, first of  
4 all, tell us whether you recognize the writing on that page?

5 A Yes, this is my handwriting.

6 Q What is meant at the top by this notation, "T-conf."  
7 What does --

8 A That's -- the whole notation at the top means  
9 telephone conference with Cephas and then it says 10/30 and it  
10 was 10/30/91.

11 Q And who is Mr. Cephas?

12 A He used to be a partner at Breed Abbott and he, at  
13 that time, I believe had already finished constructing his  
14 radio station in Montauk and if he hadn't finished it, it was  
15 quite close.

16 Q And Montauk is in --

17 A Montauk, New York.

18 Q -- New York. Now, there is, among other items on  
19 the page, there's a reference to this writing, "100,000 -  
20 cheap." Do you recall writing that particular notation on  
21 that page?

22 A Well, that's my handwriting.

23 Q It is your handwriting. Do you have any  
24 recollection today about what that particular notation means?

25 A Well, Mr. Cephas was giving me a range of what this

1 would cost and he said new equipment would cost X and just  
2 your basic would be Y and cheap was \$100,000 cheap equipment  
3 including tower.

4 JUDGE FRYSIAK: All new?

5 WITNESS: No, that was cheap. I don't know -- I  
6 assume he meant used. What he -- what I understood from him  
7 was if you're really very, very cost conscious and you want to  
8 do it cheaply, that \$100,000 would be enough.

9 BY MR. THOMPSON:

10 Q And what does the -- what did the \$100,000 mean to  
11 you at the time? What did he mean cheap, \$100,000? What did  
12 the \$100,000 stand for? What did it represent?

13 A It represented what it would take to get on the air.

14 Q Which would include -- if you understood what  
15 elements? When you say get on the air, what --

16 A I didn't -- I didn't really -- I didn't really parse  
17 it out.

18 Q A partial cost of getting it on the air?

19 A No, the whole thing. It would be the whole thing.

20 MR. THOMPSON: And then I would like to refer Your  
21 Honor and the witness to another page, the same purpose in  
22 mind. Let me show Mr. Jerrold Miller first. This is the page  
23 I'm referring to and it would be this particular notation.

24 MR. MILLER: Your Honor, I'm going to continue to  
25 object to bringing in notes of telephone conversations from

1 people who are not here. We don't know what was in their  
2 mind. There wasn't anything on direct in terms of this. As  
3 Ms. Selznick said about Mr. Cephas, they didn't break things  
4 down, a round number was thrown out, and you know, it's just  
5 continuous -- having no meaning here.

6 MR. THOMPSON: Your Honor, if it had no meaning, I'm  
7 not sure why Mr. Miller thought it probative to introduce Mr.  
8 Evers' document.

9 JUDGE FRYSIAK: That's right. The objection is  
10 overruled.

11 BY MR. THOMPSON:

12 Q Now, Ms. Selznick, I would ask you to look at  
13 another document, a one-page document that was exchanged  
14 during document production and I'm directing your attention to  
15 the third entry on this page that appears to reference an  
16 individual, Cliff Gill. Does this page also represent your  
17 handwriting?

18 A Yes, it does.

19 Q And could you give us an approximate time in which  
20 those notes were taken?

21 A This would've been in this summer.

22 Q The summer of?

23 A 1993.

24 Q So the last summer.

25 A Yeah.

1 Q The summer of '93.

2 A Uh-huh.

3 Q And do they represent notes taken during a meeting  
4 or a phone conversation?

5 A It was a telephone conversation. It was that same  
6 series of telephone calls when I called Mr. Evers and Brett  
7 Miller.

8 Q And could you tell me with reference then -- at the  
9 bottom of that particular page, there appears to be a note you  
10 took, "Can be put on air for \$100,000." What understanding,  
11 if any, does that note represent to you?

12 A That the station could be put on the air for a total  
13 of \$100,000.

14 Q And who was saying that at that time?

15 A Cliff Gill said that.

16 Q And who is Mr. Gill exactly?

17 A He is a broadcast broker who has had very many years  
18 of experience in -- I know he's -- I believe he's applied for  
19 licenses in front of the FCC and he is -- and his wife has put  
20 a station on the air, I think he told me. No, I know he told  
21 me that. His wife had put a station on the air in California  
22 and he mainly does broadcast brokering and I think consulting  
23 --

24 Q All right. Thank you very much.

25 A -- in California.

1           MR. THOMPSON: And then finally, just before we  
2 leave this particular line of questioning, I'd like to refer  
3 the witness to another document that was exchanged. This  
4 particular document consists -- I'd ask the witness to  
5 identify the time frame, but it's my belief that all of those  
6 pages constitute notes from conversations. I'll let Mr.  
7 Miller examine it. Let me show Your Honor what I'm about to  
8 show the witness, again handwritten notes, and ask the witness  
9 to identify --

10           JUDGE FRYSIK: Previously exchanged?

11           MR. THOMPSON: Previously exchanged, exactly, Your  
12 Honor, pursuant to your order.

13           BY MR. THOMPSON:

14           Q     I'd like to show you approximately a seven, eight-  
15 page document. It appears to be a series of notes that you  
16 took and my question is going to be specifically with  
17 reference to the third page and my question is, first, can you  
18 identify whether or not the notes on Page 3, on which I'm  
19 about to ask you, took place during the call -- telephone call  
20 conversations that began on Page 1 of those notes?

21           A     Yes.

22           Q     And what is the date that is on Page 1 of those  
23 notes?

24           A     7/29/93.

25           Q     So July 29th of this year -- or rather 1993. And do

1 you have any particular heading to the notes that begin on  
2 Page 1?

3 A Telephone conference - Miller.

4 Q And what Miller do those notes refer to?

5 A Brett Miller.

6 Q And do the notations on Page 3 reflect the same  
7 conversation with Mr. Miller that began on Page 1?

8 A Yes.

9 Q I'd like to direct your attention on Page 3 of the  
10 notes to the sentence or the notation beginning with "If don't  
11 build, whole bunch of money." Could you read from that point  
12 through the end of that sentence?

13 A "If don't build, whole bunch of money into it, can  
14 get on air for 40,000 or less. If get on air for less than  
15 \$100,000, profit --" I can't read the next word "-- of couple  
16 hundred thousand. If due well, 500 to 1,000,000."

17 Q Now, the reference to \$100,000 -- for less than  
18 \$100,000, did you and Mr. Brett Miller discuss, during that  
19 conversation, what he thought would be a reasonable  
20 approximate cost of getting on the air with your El Rio  
21 station?

22 A He thought that it could be done for less than  
23 100,000.

24 Q All right. Thank you. I'd like to ask you a  
25 question or two to conclude about your proposed staffing of

1 the station. You testified a few minutes ago that you would,  
2 in fact, have someone at the studio 24 hours a day. Do you  
3 remember that testimony?

4 A Yes.

5 Q Now, is it your belief that your present budget, the  
6 revised budget which is Appendix C to your Exhibit Number 5,  
7 is it your belief that that budget provides sufficient  
8 staffing for a 24-hour a day manned operation?

9 A Or "womanned", yes.

10 Q And what, Ms. Selznick, is the basis for that  
11 belief?

12 A Well, the two part-time employees can take care of  
13 the all night. The receptionist/traffic/bookkeeper will be  
14 there during business hours. The newsperson would be there in  
15 the morning, the early morning period and that still leaves me  
16 and the salesperson and part of the newsperson to take care of  
17 the remaining hours that I haven't mentioned.

18 MR. THOMPSON: Your Honor, I'd like to go off the  
19 record for just a moment. I think that completed my redirect  
20 and I'd like just to look over my notes for a second.

21 (Off the record. Back on the record.)

22 MR. THOMPSON: Your Honor, at this point, we have no  
23 further questions.

24 JUDGE FRYSIK: All right. Thank you.

25 MR. MILLER: I do have some recross, Your Honor,

1 based on Mr. Thompson's questions.

2 RECROSS EXAMINATION

3 BY MR. MILLER:

4 Q Ms. Selznick, your counsel asked you some questions  
5 regarding a conversation you had with Mr. Cephas.

6 A Yes.

7 Q And the construction of his station. When was his  
8 station constructed?

9 A It would've been at completion or nearing completion  
10 at about the time that I spoke with him.

11 Q And that was in the fall of 1991?

12 A I think so. I think it was almost completed at that  
13 point.

14 Q Did you discuss whether Mr. Cephas was using used or  
15 new equipment at that time?

16 A I'm sure we -- not in that conversation. I'm sure  
17 we did discuss it at some point, but I don't recall what he  
18 did do.

19 Q Now, you were also asked about a conversation you  
20 had with Mr. Gill this past summer.

21 A Right.

22 Q Tell me what you talked about in that conversation.  
23 If you want to refer to the notes, your counsel has no  
24 objection.

25 A I think I would need to see the notes.



1 MR. MILLER: I want to withdraw that question and  
2 withdraw a more -- ask a more focused question.

3 MR. THOMPSON: Your Honor, I've placed in front of  
4 the witness a copy of the document about which I asked some  
5 questions earlier.

6 JUDGE FRYSIK: Thank you.

7 BY MR. MILLER:

8 Q You called Mr. Gill?

9 A Yes, I did.

10 Q Had you spoken to him before the conversation which  
11 you refer to?

12 A I know I spoke to him more than once. I'm not sure  
13 which conversation this is, taken out of context.

14 Q And why did you call him?

15 A I called him because at the time, settlement  
16 negotiations were breaking down with Mr. Clanton and at Joe  
17 Dailey's suggestion actually, I made several phone calls to  
18 California brokers to make sure that this license was still  
19 worth pursuing and spoke to Cliff Gill, Mr. Evers, Brett  
20 Miller, and others whose names I don't remember, but are in  
21 these documents, and that was why I made those calls.

22 Q So you were basically calling to determine what the  
23 value of the station might be and --

24 A Right.

25 Q How did it -- did the question of -- the cost to